

CHAPTER 4

Revisions to the Draft EIR

This section contains revisions to the Draft EIR based upon: (1) additional or revised information required to prepare a response to a specific comment; (2) applicable updated information that was not available at the time of the Draft EIR publication; and/or (3) typographical errors. This section also includes additional mitigation measures to fully respond to commenter concerns as well as provide additional clarification to mitigation requirements included in the Draft EIR. The provision of these additional mitigation measures does not alter any impact significance conclusions as disclosed in the Draft EIR. Changes made to the Draft EIR are identified here in ~~strikeout text~~ to indicate deletions and in **bold underlined text** to signify additions.

4.1 Draft Revisions in Response to Written Comments

The following text has been revised in response to comments received on the Draft EIR.

Page i of the Table of Contents of the Draft EIR, is hereby modified as follows:

Saddle Crest Homes ~~Screencheck~~ Draft EIR

Page 2-19 of the Draft EIR, Table 2.1, Project Design Features, PDF-6 is hereby modified as follows:

PDF-6 A detailed landscape plan for the project area has been prepared by a licensed landscape architect taking into account County Standard Plans for landscape areas, adopted plant palette guides, applicable scenic and specific plan requirements, and water conservation measures contained in the County of Orange Landscape Code (Ord. No. 09-010). **The landscape plan will not include invasive or escapee species in the plant palette.**

Please note that Project Design Feature PDF-6 is also modified where it appears throughout the Draft EIR on the following pages: 1-6, 3.1-8, 3.3-59 and 3.9-10.

Page 2-22 of the Draft EIR, Table 2.1, Project Design Features, PDF-47 is hereby modified as follows:

PDF-47 The project reservoir will be visually screened with native/drought-tolerant landscaping and will be painted a neutral tone to blend with the surrounding environment. **Landscaping will not exceed the height of the reservoir.**

Please note that Project Design Feature PDF-6 is also modified where it appears throughout the Draft EIR on the following pages: 1-16 and 3.1-8.

An additional Project Design Feature (PDF-51) has been included as part of the proposed project and page 2-22 of the Draft EIR, Table 2.1, Project Design Features, is hereby modified as follows:

PDF-51 The riding and hiking trail located along Santiago Canyon Road will be fenced along the roadway side of the trail.

An additional Project Design Feature (PDF-52) has been included as part of the proposed project and page 2-22 of the Draft EIR, Table 2.1, Project Design Features, is hereby modified as follows:

PDF-52 The V-ditch aligned with the trail will have a rounded bottom to protect horses and cyclists who may step off to the side.

Page 2-24 (paragraph five) of the Draft EIR, is hereby modified as follows:

Open space would be distributed throughout the project site, as opposed to being concentrated mainly in the northeastern portion under the proposed project. The non-clustered scenario would **be required to dedicate a minimum of 66 percent of the site** ~~not include a dedication of acreage~~ to the County of Orange for open space purposes. The open space that would be included in the non-clustered scenario would be **a dedicated preservation easement covering 66 percent of the project site which includes area** ~~provided~~ within each residential lot (see Figure 2.14).

Page 2-32 of the Draft EIR, Figure 2.15 has been modified and is included at the end of this chapter.

Page 3.3-65 of the Draft EIR, Section 3.3, *Biological Resources*, is hereby modified as follows:

Chaparral nolina: Project construction would impact approximately 300 chaparral nolina individuals covering approximately 5.3 acres within the project site. Chaparral nolina is a CNPS List 1B.2 species and USFS sensitive species. Due to the limited distribution for this species in Orange County, the removal of 300 individuals represents a loss of a substantial number of this species is considered potentially significant. However, the NCCP/HCP's in-lieu fee was established a means to offset impacts to covered species through payment into the program. Payment into the in-lieu fee program applies to those areas within the project that lie within the in-lieu fee coverage area (see Figure 3.3-5). As specified under Mitigation Measure MM 3.3-1A, impacts to chaparral nolina would be mitigated through ~~payment into the NCCP/HCP in-lieu fee program and/or~~ off-site translocation and/or off-site seeding onto the preserved Saddle Creek North property. Under Mitigation Measure MM 3.3-1B, the applicant shall prepare a Planting Plan that includes performance measures and adaptive management practices that ensure a minimum 90 percent survivorship. Impacts would be less than significant through implementation of Mitigation Measures MM 3.3-1A and MM 3.3-1B, respectively.

Page 3.3-99 of the Draft EIR, Section 3.3, *Biological Resources*, is hereby modified as follows:

MM 3.3-1A Special-Status Plants: To mitigate impacts to special-status plant species, the applicant shall implement the following measures:

- Impacts to foothill mariposa lilies shall be mitigated through off-site translocation and/or seed collection/off-site seeding onto a suitable location such as the preserved Saddle Creek North property.
- Impacts to chaparral nolina shall be mitigated through off-site translocation and/or seed collection/off-site seeding onto the preserved Saddle Creek North property.
- **Impacts to Disturbed/Opuntia shall be mitigated for via salvage and translocation of prickly pear to an on- and/or off-site (i.e., Saddle Creek North property) receptor area to the benefit of coastal cactus wren. All prickly pear on-site shall be salvaged and replanted, and planted in a density and configuration where they would represent potential habitat for cactus wren. Mitigation for the Disturbed/Opuntia shall be monitored in conjunction with the mitigation for sensitive plant communities which is proposed to take place on the Saddle Creek North property or other suitable location.**

Prior to implementation of the above measures, sensitive plant surveys shall be conducted to ensure no native plants will be impacted.

Please note that Mitigation Measure MM 3.3-1A is also modified where it appears on page 1-19 of the Draft EIR.

Pages 3.3-99 to 3.3-100 of the Draft EIR, Section 3.3, *Biological Resources*, is hereby modified as follows:

MM 3.3-1C Environmental Awareness Program: As part of the mitigation plan to mitigate indirect impacts to special-status plants, sensitive natural communities, preserved open space and wildlife corridors, the applicant shall implement the following measures:

- The applicant shall implement a resident Environmental Awareness Program intended to increase awareness to residents of the sensitive plants, wildlife and associated habitats that occur in the preserved open space areas. The intention of the program shall be to encourage active conservation efforts among the residents to help conserve the habitats in the preserved open space. The program shall address inadvertent impacts from the introduction of invasive plant species (**including escapees**). At a minimum, the Environmental Awareness Program shall include the following components:
 - Informational kiosks shall be constructed at entrance points to hiking and equestrian trails and at various locations along the fence line that separates the project site and the open space area to inform residents and trail users on the sensitive flora and fauna that rely on the habitats found

within the preserved open space. The intent of these kiosks is to bring awareness to the sensitive plants, wildlife and associated habitats which occur in the area.

- The applicant shall provide residents or the Home Owners Association (if applicable) with a brochure which includes a list of plant species to avoid in residential landscaping to prevent the introduction of invasive plant species to the surrounding natural communities.

Please note that Mitigation Measure MM 3.3-1C is also modified where it appears on pages 1-19 to 1-20 of the Draft EIR.

Pages 3.3-102 to 3.3-103 of the Draft EIR, Section 3.3, *Biological Resources*, is hereby modified as follows:

MM 3.3-4 Coast Live Oak Trees: For impacts to coast live oak trees, the applicant shall incorporate the following mitigation measures (many of which have been addressed in the Tree Management and Preservation Plan for the proposed project **(included as Appendix D.2 of the Draft EIR)**).

- The applicant shall plant various sized trees, seedlings, and site-collected acorns within the landscaped portion of the proposed development as well as within the oak woodlands to be preserved on-site to restore/enhance these “receiver areas.” The planting of 15-gallon oak trees along with a variety of other sized oak trees would add diversity to the restoration areas and improve the health and sustainability of all trees in the mitigation program. Trees shall be replaced at a 5:1, 8:1, 10:1, 12:1, or 15:1 replacement ratio depending on the size of the tree.
- A total of 2,281 coast live oak trees shall be planted, including up to 2,000 acorns and 281 saplings and young trees ranging in size from one-gallon containers to 66-inch boxes. Approximately 12 to 30 percent of the mitigation tree planting (a minimum of 250 trees and a maximum of 300 trees) shall occur in transition areas, such as the perimeter areas of the development and within the fuel modification areas. The remaining 70 to 88 percent of the mitigation trees shall be planted within receiver areas within and around the oak woodlands that are to be preserved on-site.
- Coast live oak trees located within the fuel modification zones that require pruning shall comply with Orange County Fire Authority requirements. Trees shall be pruned by a qualified arborist specializing in the management and care of this tree species in consultation with the County Biological Resources Monitor.
- Prior to the issuance of any grading permits or recordation of a subdivision map which creates building sites, whichever occurs first, the applicant shall obtain the approval of the Manager, OC Planning, of a tree preservation plan for the property. The Manager of OC Parks is to be consulted if the plan involves off-site tree mitigation in an OC Parks facility.
- A ~~seven~~ **five**-year monitoring program shall be prepared that includes performance standards and criteria for evaluating success.

- **Plant species commonly associated with oak woodlands shall be included as woodland enhancement as specific in an oak restoration plan prepared by a restoration specialist.**

Please note that Mitigation Measure MM 3.3-4 is also modified where it appears on pages 1-24 to 1-25 of the Draft EIR.

Page 3.4-27 of the Draft EIR, Section 3.4, *Cultural Resources*, is hereby modified as follows:

MM 3.4-2 If a cultural resource is encountered, the archaeologist shall be empowered halt or redirect ground-disturbing activities away from the vicinity of the find so that the find can be evaluated and appropriate treatment determined. If an archaeological monitor is not present, and if a cultural resource is encountered, construction activities shall be redirected away from the immediate vicinity of the find until it can be evaluated by a qualified archaeologist. If the resource is found by the archaeologist to be **an historical resource, as defined in PRC Section 21084.1, or** a unique archaeological resource, as defined in Section 21083.2(g), and if avoidance is not feasible, a detailed treatment plan shall be prepared and implemented by a qualified archaeologist in consultation with the County and appropriate Native American group(s) (if the find is a prehistoric or Native American resource).

At minimum, the treatment plan prepared shall include sample excavation, surface artifact collection, site documentation, and historical research, with the aim to target the recovery of important scientific data contained in the portion(s) of the significant resource to be impacted by the project. The treatment plan shall also include provisions for analysis of data in a regional context, reporting of results within a timely manner, curation of artifacts and data at an approved facility, and dissemination of reports to local and state repositories, libraries, and interested professionals.

Construction activities shall be redirected to other work areas until the treatment plan has been implemented or the qualified archaeologists determines work can resume in the vicinity of the find.

Prior to the release of the grading bond the applicant shall obtain approval of the archaeologist's follow-up report from the Manager, OC Planning. The report shall include the period of inspection, an analysis of any artifacts found and the present repository of the artifacts. The final report shall also be provided to the South Central Coastal Information Center. The applicant shall prepare excavated material to the point of identification. Applicant shall offer excavated finds for curatorial purposes to the County of Orange, or its designee, on a first refusal basis. If the County does not accept the finds, they shall be curated at an accredited curation facility that has been approved by the County. These actions,

as well as final disposition of the resources, shall be subject to the approval of the Manager, OC Planning.

Please note that Mitigation Measure MM 3.4-2 is also modified where it appears on page 1-28 of the Draft EIR.

Page 3.14-16 of the Draft EIR, Section 3.14, *Transportation and Traffic*, is hereby modified as follows:

TABLE 3.14-3 (REVISED)
SANTIAGO CANYON ROAD SEGMENT ANALYSIS RESULTS FOR EXISTING CONDITIONS
(HIGHWAY CAPACITY MANUAL METHODOLOGY)

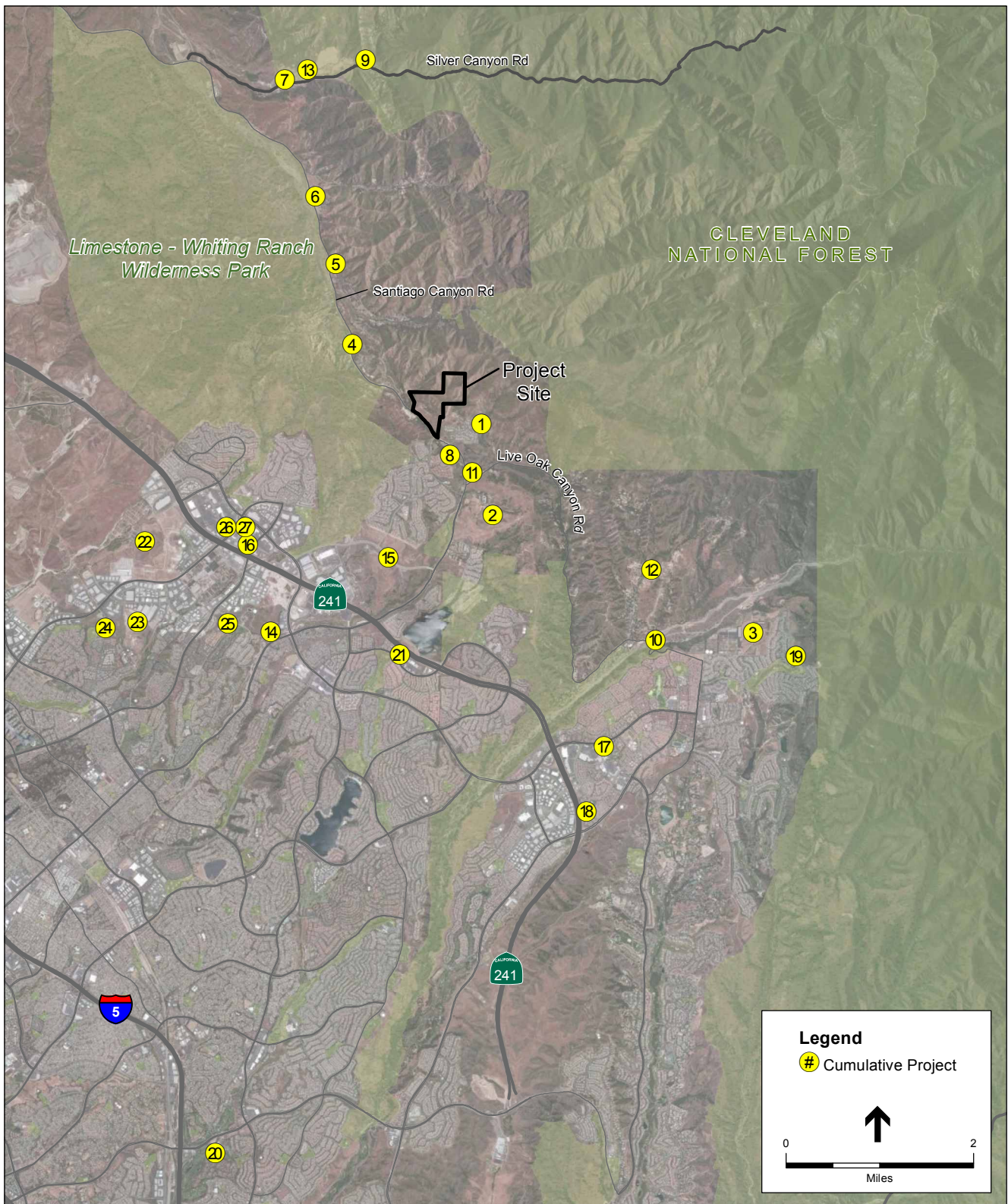
Road Segment	AM Peak Hour		PM Peak Hour	
	MPH / PTSF ^a	LOS	MPH / PTSF ^a	LOS
North of Modjeska Grade Road	<u>44.5</u> / 65.0%	C	<u>43.6</u> / 71.2%	D
South of Modjeska Grade Road	<u>43.9</u> / 67.6%	D	<u>44.1</u> / 69.1%	D
North of Live Oak Canyon Road	<u>44.1</u> / 67.0%	D	<u>44.3</u> / 68.1%	D

a **MPH = Average travel speed in Miles Per Hour** / PTSF = Percent Time Spent Following, which is based on the ability to pass slower vehicles on a two-lane roadway.

SOURCE: RK Engineering Group, Inc., 2012.

The executive summary of the Cultural Resources Study (page 1 of Appendix E of the Draft EIR) has been modified and is included at the end of this chapter.

The fuel modification cross section (page 27 of Appendix H of the Draft EIR) has been modified and is included at the end of this chapter.



SOURCE: Bing Maps, 2010. ESA, 2011.

Saddle Crest Homes. 211454

Figure 2.15
Cumulative Projects

EXECUTIVE SUMMARY

ESA is preparing an Environmental Impact Report (EIR) for the Saddle Crest Homes Project (Project). Rutter Santiago, LP, proposes the development of 65 single-family homes on a 113.7-acre site in unincorporated Orange County. Orange County is the lead agency pursuant to the California Environmental Quality Act (CEQA). The Project area is located within Section 32 and the west half of the northwest quarter of Section 33, Township 5 South, Range 7 West, S.B.B.M. This report has been prepared in compliance with CEQA and documents the results of a Phase 1 Cultural Resources Study.

A records search for the Project was conducted on August 24, 2011 at the South Central Coastal Information Center (SCCIC). A total of 19 cultural resources have been previously recorded within ½ mile of the Project area, including four historic-period architectural resources, one isolated artifact, and fourteen archaeological sites. Ten of the archaeological sites are prehistoric in age and consist primarily of artifact scatters; three archaeological sites date to the historic period and consist of the remains of an adobe and two historic clay mines; and one resource is a potential archaeological site consisting of a water-filled cavern. Of these 19 resources, six (CA-ORA-1250, CA-ORA-1516, CA-ORA-1521, CA-ORA-1522, CA-ORA-1523, and P-30-176629) are located within the Project area.

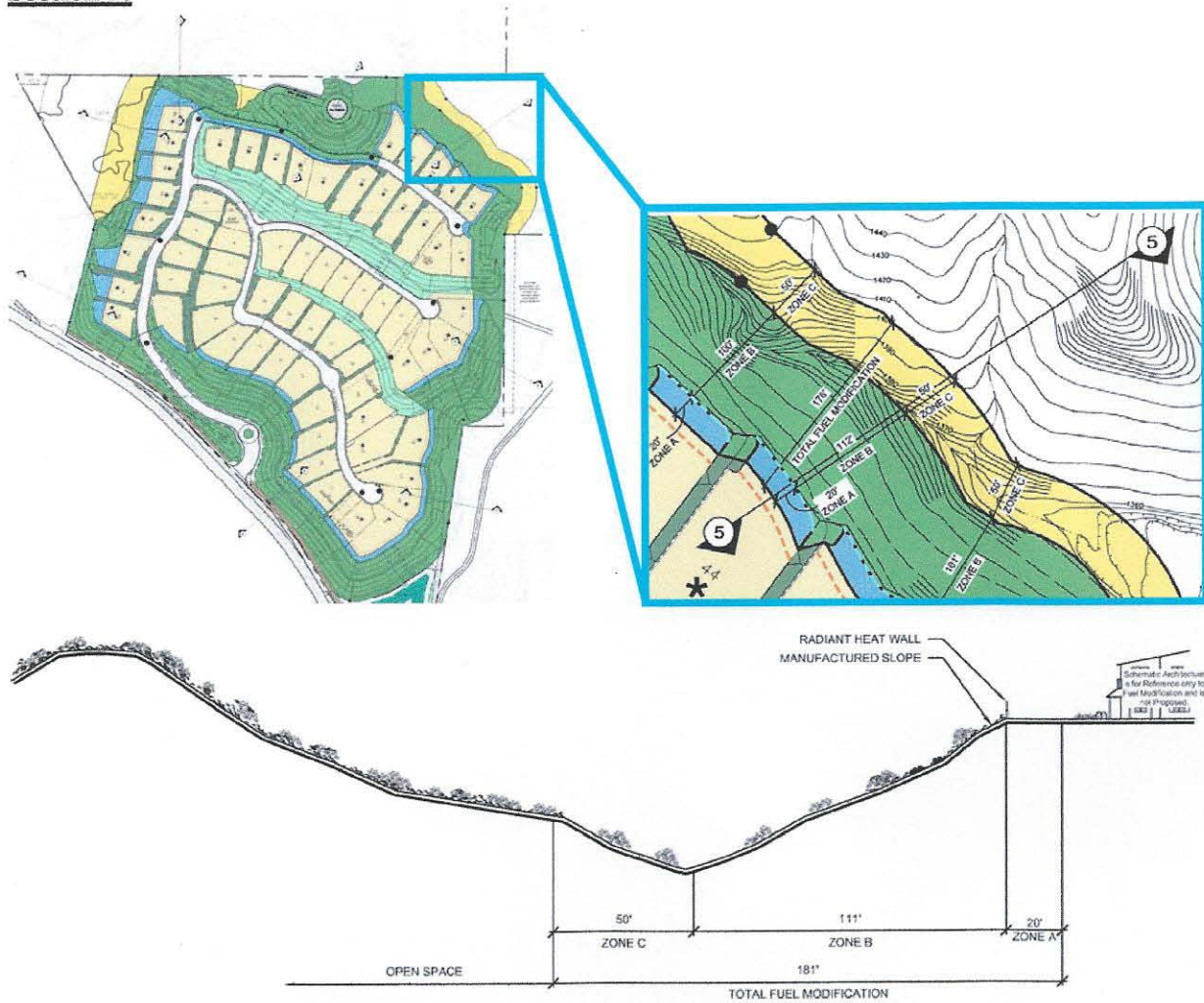
A Sacred Lands File search conducted by the Native American Heritage Commission (NAHC) on August 23, 2011 did not indicate the presence of Native American cultural resources within ½ mile of the Project. Follow-up contact was made by letter with all individuals and groups indicated by the NAHC as having affiliation with the Project area to solicit further information concerning cultural resources in vicinity of the Project. To date, two responses have been received, from Mr. Robert Dorame of the Gabrielino Tongva Indians of California Tribal Council and Mr. Alfred Cruz of the Juaneño Band of Mission Indians. Mr. Dorame emphasized the sensitivity of the Project area, and Mr. Cruz requested more information on the project.

The Project area was surveyed on September 22 and 23, 2011, and January 12, 2012. On October 17, 2011, site CA-ORA-1522 was revisited and resurveyed after the clearance of vegetation. One new resource, prehistoric isolate SC-ISO-1, and three previously recorded resources, CA-ORA-1521, CA-ORA-1523, and P-33-176629, were recorded within the Project area. Previously recorded resources CA-ORA-1250, CA-ORA-1516, and CA-ORA-1522 were not relocated. Five of the resources (CA-ORA-1250, CA-ORA-1521, CA-ORA-1522, CA-ORA-1523, and P-30-176629) have been evaluated as not eligible for listing in the California Register and as not otherwise qualifying as an historical resource or unique archaeological resource pursuant to §15064.5. Sufficient data was not able to be gathered to evaluate the significance of CA-ORA-1516, a potential archaeological site consisting of a water-filled cavern.

It is recommended that if it will be impacted by the Project, CA-ORA-1516 should be relocated and evaluated following clearance of vegetation. Archaeological monitoring of all ground-disturbing activities by a qualified archaeologist within the Project area, in areas where the slope does not exceed 45 percent, is recommended. Further, in the event that previously unidentified archaeological or Native American resources are uncovered during Project implementation, all work should cease in the vicinity of the find until it can be evaluated by a qualified archaeologist. If human remains are encountered unexpectedly during construction, Health and Safety Code Section 7050.5 should be implemented.

Revised Fuel Modification Cross Section (Appendix H)

Section 5:



Slope is 100 percent maximum
Aspect is 45
Fuel Model 4

